

REMARKS

Claims 1-20 were pending, of which claims 16 and 17 have been amended. Reconsideration and allowance is respectfully requested in light of the foregoing amendments and the following remarks.

Claims 1-20 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,219,789 to Noguchi. This rejection is respectfully traversed.

The PTO provides in MPEP § 2131 that

"[t]o anticipate a claim, the reference must teach every element of the claim...."

Claim 1 requires, *inter alia*, "a compensation thermal control unit (CTCU) configured to determine variation between the process chamber temperature profile and a desired temperature profile." This element is missing from the Noguchi patent.

The Noguchi patent teaches a system that preheats the wafer to 600°C and then provides a temperature of 1400°C to "a portion of the polycrystalline silicon layer 4 of a predetermined small area at a time." (2:61-62). The heated portion is achieved through a pulse excimer laser. Since the wafer is already at 600°C, the laser must only produce an additional 800°C of energy (3:37-41).

The Noguchi patent never teaches a compensation thermal control unit configured to determine variation because it already knows the difference in temperature. Noguchi does not discuss ramping or modifying the temperature inside the process chamber – it assumes that the wafer is at the prescribed temperature (600°C).

Claim 1 is therefore deemed to be in condition for allowance.

Claim 16 requires, *inter alia*, a "mechanism to determine variation between the process chamber temperature profile and a desired temperature profile." As discussed above with

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reference to claim 1, this element is missing from the cited reference.

Claim 17 requires, *inter alia*, "determining a variation between the process chamber temperature profile and the desired temperature profile for the process chamber." This is different from the Noguchi patent because the Noguchi patent is focused only on a "small area at a time." (2:61-62).

Claim 17 is therefore deemed to be in condition for allowance.

The remaining dependent claims further limit their respective base claims and are also deemed to be in condition for allowance.

The Examiner is invited to contact the undersigned at the numbers provided below if further consideration is required. Also, Deposit Account No. 08-1394 may be used for any over or under payments.

Respectfully submitted,

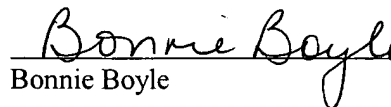


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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, Box AF, ~~Washington, D.C. 20231~~ Alex., VA 22313 *Amendment*

on 12-13-04


Bonnie Boyle